

1 MELINDA HAAG (CABN 132612)
United States Attorney

2 MIRANDA KANE (CABN 150630)
Chief, Criminal Division

4 NATALIE LEE (CABN 277362)
Assistant United States Attorney

5 450 Golden Gate Avenue
6 Eleventh Floor
7 San Francisco, CA 94102
Telephone: (415) 436-7301
Fax: (415) 436-6753
8 E-Mail: natalie.lee2@usdoj.gov

9 Attorneys for the United States of America

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

15 UNITED STATES OF AMERICA,) No. CR 3:13-mj-70400 LB
16 v.)
17 CHRISTOPHER ELMORE,) STIPULATION AND [PROPOSED]
18 Defendant.) ORDER EXTENDING TIME LIMITS OF
RULE 5.1(c) AND EXCLUDING TIME
19 _____)

21 On April 15, 2013, the parties in this case appeared before the Court for an initial
22 appearance on a Complaint. On that date, the government moved for detention, and a detention
23 hearing was scheduled for April 19, 2013. The parties now submit this Stipulation and Proposed
24 Order Extending the Time Limits of Rule 5.1(c) and Excluding Time until May 20, 2013.

25 Pursuant to Rule 5.1(d), the defendant consents to this extension of time and waiver, and
26 the parties represent that good cause exists for the extension, including the effective preparation
27 of counsel. The requested continuance is needed to allow counsel sufficient time to prepare and
28 review discovery that the government has provided, and the failure to grant the continuance

1 requested would unreasonably deny counsel the reasonable time necessary for effective
2 preparation, taking into account the exercise of due diligence. Therefore, the parties agree that
3 the Court shall order that the Speedy Trial clock shall be tolled for the reasons stated above from
4 April 19, 2013 to May 20, 2013, and that the arraignment/ preliminary hearing be continued until
5 May 30, 2013. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

6 SO STIPULATED:

7 MELINDA HAAG
United States Attorney

8 DATED: April 19, 2013

/S/
9 NATALIE LEE
10 Assistant United States Attorney

11 DATED: April 19, 2013

/S/
12 RITA BOSWORTH
13 Attorney for Christopher Elmore

14 [PROPOSED] ORDER

15 For the reasons stated above, the Court finds that the extension of time limits applicable
16 under Federal Rule of Criminal Procedure 5.1(c) from April 19, 2013 through May 20, 2013 is
17 warranted and that a continuance of the defendant's arraignment / preliminary hearing to May 20,
18 2013 is warranted; that exclusion of this period from the time limits applicable under 18 U.S.C. §
19 3161 is warranted; that the ends of justice served by the continuance under Rule 5.1 outweigh the
20 interests of the public and the defendant in the prompt disposition of this criminal case; and that
21 the failure to grant the requested exclusion of time would deny counsel for the defendant and for
22 the government the reasonable time necessary for effective preparation, taking into account the
23 exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C.
24 §3161(h)(7)(B)(iv).

25 IT IS SO ORDERED.

26
27 DATED: June 21, 2013

28 
THE HONORABLE MARIA ELENA JAMES
United States Magistrate Judge LAUREL BEELER